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11 || Co-Lead Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

15 || In Re ATI Tech. HDCP Litigation

Case No.: 5:06-CV-01303-JW
STIPULATION AND [PROPOSED] *Joint Motion*
ORDER RE CONTINUANCE OF CLASS
CERTIFICATION BRIEFING
SCHEDULE TO ALLOW PARTIES TO
CONTINUE SETTLEMENT
DISCUSSIONS
(CIVIL LOCAL RULE 6-2)

1 WHEREAS, on June 10, 2008, the parties participated in a Settlement Conference before
2 Magistrate Judge Richard Seeborg (Docket Item No. 119);
3

4 WHEREAS, on June 12, 2008, the parties participated in a further mediation session
5 without the assistance of a mediator;
6

7 WHEREAS, the parties believed that their settlement discussions were productive and
8 jointly requested that Mag. Judge Seeborg preside over a further mediation session;
9

10 WHEREAS, the parties appeared before Mag. Judge Seeborg at a full day Settlement
11 Conference on July 15, 2008 (Docket Item No. 122);
12

13 WHEREAS, the settlement discussions have been productive and the parties believe that it
14 would be more productive to continue their settlement discussions rather than litigating at this time;
15

16 WHEREAS, this Court entered an Order dated February 27, 2008, which set a hearing on
17 Plaintiffs' Motion for Class Certification for September 9, 2008 at 9:00 a.m. (Docket Item No.
18 101);
19

20 WHEREAS, this Court entered an Order on May 14, 2008, which continued the discovery
21 cut-off to July 3, 2008 (Docket Item No. 118);
22

23 WHEREAS, this Court entered an Order dated April 1, 2008, which required that
24 Plaintiffs file any renewed motion for class certification on or before July 15, 2008, that
25 Defendants file any opposition on or before August 14, 2008, and that Plaintiffs file any reply on or
26 before August 26, 2008 (Docket Item No. 105);
27
28

1 WHEREAS, the parties believe that the settlement discussions have been productive and
2 the parties are better served focusing their efforts on settlement discussions rather than litigation at
3 this time;

4
5 THEREFORE, the parties, through their respective counsel, hereby stipulate and jointly
6 request that the Court order as follows:

7
8 1. The discovery cut-off be extended to September 30, 2008 to complete discovery
9 properly served as of June 10, 2008;

10
11 2. Plaintiffs shall file any renewed motion for class certification, and all evidence in
12 support of such motion, on or before October 10, 2008;

13
14 3. Defendants shall file any opposition to the renewed motion for class certification,
15 and all evidence in support of such motion, on or before November 10, 2008;

16
17 4. Plaintiffs shall file any reply memorandum in support of the renewed motion for
18 class certification on or before November 24, 2008; and

19
20 5. Plaintiffs' Motion for Class Certification pursuant to Federal Rule of Civil
21 Procedure 23 shall be heard on December 9, 2008 at 9:00 a.m., or as soon thereafter
22 as shall be set by the Court on its hearing calendar.

23
24 Dated: July 24, 2008

By: s/David C. Parisi

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7 Dated: July 24, 2008

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10 By: /s/ (approved via email)
11 Charles W. Cox

12 Attorneys for Defendants ATI Technologies Inc., ATI
13 Technologies Systems Corp., ATI Research Silicon
14 Valley Inc., and ATI Research, Inc.

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ORDER

PURSUANT TO THE STIPULATION OF THE PARTIES, and good cause appearing therefore, the Court orders as follows:

1. The discovery cut-off shall be extended to September 30, 2008 to complete discovery properly served as of June 10, 2008;
2. Plaintiffs shall file any renewed motion for class certification, and all evidence in support of such motion, on or before October 10, 2008;
3. Defendants shall file any opposition to the renewed motion for class certification, and all evidence in support of such motion, on or before November 10, 2008;
4. Plaintiffs shall file any reply memorandum to the renewed motion for class certification on or before November 24, 2008; and
5. Plaintiffs' Motion for Class Certification pursuant to Federal Rule of Civil Procedure 23 shall be heard on **December 8, 2008 at 9 a.m.**

The Court sets a Status Conference on **October 6, 2008 at 10 a.m.** On or before **September 26, 2008**, the parties shall file a Joint Status Statement informing the Court on the status of their settlement efforts

Dated: July 30, 2008

The Honorable James Ware
United States District Court Judge